

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department of Consumer and Regulatory Affairs

Department of Consumer and Regulatory Affairs (DCRA)
Administrative Issuance System

DCRA Bulletin No. 5-10B-09

SUBJECT: DCRA Shield Issuance and Retention Policy

EFFECTIVE DATE: July 28, 2009

EXPIRATION OR REPLACEMENT:

PURPOSE AND AUTHORITY:

This DCRA Administrative Issuance bulletin reestablishes the DCRA Shield Issuance and Retention Policy. The purpose of this policy is to reestablish a clear policy and procedure for the assignment, distribution, maintenance, use, and retention of shields for government employees. The policy provides standardized guidelines and procedures for the assignment of shields. It also establishes enforcement and financial responsibilities.

SCOPE:

- All current DCRA full-time, part-time, and temporary and term employees who are assigned and carry shields during their term of employment with DCRA.
- All employees assigned to the office of Support Services responsible for all processes related to the acquisition, maintenance, provision, and retention of agency controlled shields.

PROVISIONS:

A) Procedures for assignment of shields to employees:

- 1) Supervisors or Managers will designate employees to carry shields based on the following criteria:
 - The employee's daily duties consist of field work requiring access to private property, thus requiring recognizable indicia of authority for such access;
 - Executive and other senior agency management may be designated as authorized to carry a shield by the Director.
- 2) A Supervisor or Manager must issue a written designation notice to each employee assigned to carry a shield. The designation notice will include the employee's name, title, hire date, and type of shield the employee is to receive (inspector or investigator). Shield designation forms shall be provided by Human Resources in conjunction with the existing equipment receipt form which is provided to new hires.
- 3) Upon issuance of the designation notice, the employee must submit the designation notice to the senior manager for Support Services (or their delegee) for issuance of the shield. At that time, Support Services will assign the employee a shield from the

appropriate (investigator or inspector) stock of available shields. Support Services will document the assignment of the shield using both the existing equipment roster used by Support Services and in an electronic format to be established by Support Services.

- 4) Support Services will require the employee to sign a Shield Receipt Form (established by this AIS, copies of the form to be maintained by Support Services), affirming receipt of the shield and acknowledging all requirements, rights, and obligations accompanying possession of the shield. These requirements, rights, and obligations, which must be present on the equipment roster, are:
 - Affirmation that the signer is in fact the designated holder of the shield, that they have received the shield, and the date of receipt;
 - Affirmation that the holder of a shield is vested with the rights and obligations delegated by authority of the Director to carry out all the duties of their office, including access to private property;
 - Affirmation of the holder's obligation, under penalty of law, to use the shield only in an authorized manner, and the holder's understanding that to do otherwise may result in termination and criminal prosecution;
 - Affirmation that immediately upon the expiration of the holder's final tour of duty, the holder will submit their assigned shield to their direct supervisor. In the event that a supervisor is not available at the expiration of the employee's tour, the supervisor may, in advance of the employee's final tour of duty, designate another employee to receive the shield.
- 5) Support Services shall maintain the signed receipt acknowledgement in a secure location maintained by Support Services.

B) Policies and Procedures Governing Use and Maintenance of Shields:

- 1) Shields shall be used exclusively for job related duties. Employees who are assigned shields are expressly prohibited for using their assigned shield for any purpose other than these duties.
- 2) Employees who are assigned shields will be required to maintain their shield in such a manner as to prevent breakage, defacement, or loss.
- 3) Returned and unassigned shields shall be retained in a secure location, which shall be secured and maintained by Support Services.
- 4) Support Services shall maintain an updated list of all shields held by the agency, including all those shields assigned to employees, shields returned and not subsequently reassigned to employees, and shields not ever assigned to employees.

C) Procedures for Return of Shields upon Separation from the Agency:

- 1) Upon the expiration of the holder's final tour of duty, the holder will submit their assigned shield to their direct supervisor. In the event that a supervisor is not available at the expiration of the employee's tour, the supervisor may, in advance of the employee's final tour of duty, designate another employee to receive the shield.
- 2) Employees receiving shields returned at the expiration of the holder's final tour of duty will be required to document receipt of the shield, and to submit such documentation to the senior manager for the Support Services Office immediately or as soon as practicable. The documentation will include the employee's name, title, and the date of receipt of the shield.

D) Enforcement of Shield Issuance, Maintenance, Use, and Retention Policy:

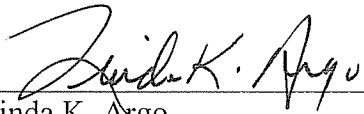
- 1) Employees who fail to adhere to any of the policies set forth in this administrative issuance shall be subject to discipline in a manner consistent with the District Personnel Manual.
- 2) Use of a shield for any purpose other than job-related duties, whether on or off duty at the time of the use, shall result in disciplinary action pursuant to DPM §1616.ⁱ

E) Financial Responsibility for Damaged, Lost or Stolen Shields:

- 1) By receiving and carrying a DCRA shield, the employee agrees to be held financially accountable per the above guidelines for the shield assigned to her/him.
- 2) Employees will reimburse the District Government for all lost or destroyed shields. The amount employees are charged will be based on the original cost of the shields to the District, less depreciation, but no greater than \$100.00 per shield.
- 3) Employees will be required to submit a police report for all stolen equipment. If stolen shields are not reported to the police, employees will be held financially liable for the shields.
- 4) Depending on the circumstances of the loss of their assigned shield, a replacement shield may not be issued to the employee, immediately or at all. An employee not reassigned a replacement shield will be required to use their employee identification badge as their sole form of identification. An employee not reassigned a shield may apply to the senior manager of their division for reassignment of a shield; a decision will be made on such application in conjunction with the Office of the Chief of Staff and the Office of Service Integrity.
- 5) The Office of Service Integrity is hereby authorized to investigate all available facts regarding lost or destroyed shields.
- 6) The Office of Support Services is hereby authorized to determine the shield value.

- 7) Checks or money orders to reimburse the cost of lost or destroyed shields should be made payable to the DC Treasurer.

These guidelines supersede all previous policies and procedures regarding DCRA shields and are effective immediately.



Linda K. Argo
Director

Date 

I have carefully reviewed the above Administrative Issuance regarding DCRA shields. I agree to fully comply with these policies, procedures and guidelines as a condition of using a DCRA shield.

Employee Signature

Date

Phone Number _____

ⁱ 6 DCMR 1616 provides that an agency head may remove an employee summarily where an employee's conduct constitutes cause as defined by §1603 and "threatens the integrity of government operations". DPM §1603.3(f)(1) provides that on-duty "malfeasance" and on-duty "misfeasance" constitutes cause under the DPM. Accordingly, because use of a shield for any purpose other than job-related duties represents a significant breach of the public trust, such use clearly threatens the integrity of government operations, and is herein determined to constitute "malfeasance" under §1603.3.